

CITY OF MUSKEGON
HISTORIC DISTRICT COMMISSION
REGULAR MEETING
MINUTES

September 7, 2004

The meeting was called to order at 4:05 p.m. by Commission Member A. Medema.

MEMBERS PRESENT: J. Hilt, L. Spataro, A. Medema, T. Russo; A. Brown

MEMBERS ABSENT: T. Bosma, excused; D. Chambers

STAFF PRESENT: L. Anguilm, H. Griffith

OTHERS PRESENT: J. Weist, 1284 Ransom; D. LaBrenz, Building Official; Martha Ferriby, Hackley Public Library, 316 W. Webster Ave.; S. Sieradski, 557 W. Clay; S. Cook, 1189 Peck; M. Penn, Catholic Social Services; K. Aflatoun, 1302 Peck.

APPROVAL OF MINUTES

A motion to approve the regular meeting minutes of August 3, 2004 was made by T. Russo, supported by A. Brown and unanimously approved.

NEW BUSINESS/PUBLIC HEARINGS

Case 2004-25 – Request to demolish all structures damaged by fire. Applicant: Press’s, LLC; 1208 Peck Street; District: McLaughlin; Class: A. L. Anguilm presented the staff report. The applicant has been awarded the contract to demolish the building by the owner’s representative, John Steinbach. The building has suffered significant damage from fire, and has been declared a dangerous building by the City of Muskegon Inspections Department. According to the City’s historic district guidelines, HDC should consider the following: This lot is unbuildable under the zoning ordinance. The replacement costs are listed as over \$75,000, while the actual value of the home is only about \$43,000. Staff recommends approval of the request.

A. Medema asked what would happen to the lot. L. Anguilm stated that since the lot is unbuildable, it could be sold to adjacent property owners by the current owner or if the City gets it through the tax sale process, then we would offer it to the adjacent property owners.

A motion that HDC approve the request to demolish the structures at 1208 Peck Street since the structures are deemed a true hazard to public health or safety and repairs may cause undue financial hardship to the owner, was made by A. Brown, supported by T. Russo and unanimously approved.

Case2004-26 – Installation of picket and chain-link fence and the replacement of the kitchen and dining room windows. Applicant: Janice Weist; 1284 Ransom Street; District: McLaughlin; Class: A. L. Anguilm presented the staff report. The applicant is requesting to erect a section of picket fence between the house and the side property line. She would like to erect a chain-link fence beginning at the picket fence extending 60 feet to the rear, then across the rear to the brick wall of the garage. Although staff is unsure, it is believed that the applicant would like the chain-link fence to be 6 feet in height and the picket fence to be 4 feet in height. The applicant will also provide information regarding her window replacement request at the meeting. Staff recommends approval of the requests.

L. Spataro stated that the fence would be required to comply with zoning rules. He asked if the picket fencing would be facing the street with the rest being chain link. J. Weist stated that was correct.

A motion that HDC approve the installation of a wooden picket fence between the house and the side property line and a chain-link fence to be erected in the side and rear yards behind the picket fence, with the following condition: The fencing conforms to all City of Muskegon Zoning Ordinance regulations governing fences, was made by A. Brown, supported by L. Spataro and unanimously approved.

The applicant provided pictures of the home showing which windows she would like to replace. She also had the style of window she would like to use. L. Spataro asked if the windows would be the match what the previous owner had already replaced. J. Weist stated that they would. She is also looking at replacing other windows in the future.

A motion that HDC approve the installation of new windows in the kitchen and dining room, with the following conditions: 1) The replacement windows are of the same style as those removed. 2) The replacement windows are of the same dimensions as those removed, was made by L. Spataro, supported by J. Hilt and unanimously approved.

Case2004-27 – Repair and replacement of portions of the roof, gutters, and flashing. Applicant: Muskegon Public Schools & Hackley Public Library; 316 W. Webster Avenue; District: National Register; Class: AA. L. Anguilm presented the staff report. The applicant is requesting to repair and replace sections of the roof, gutters and flashing as described in the attached work proposal. Many of these types of repairs can be signed off on by staff, but because of the significance of this building, staff would prefer to have HDC review the requests. Staff recommends approval of the requests.

A motion that HDC approve the repairs and replacement of portions of the roof, gutters and flashing, as submitted in the “Description of Work Proposed”, was made by J. Hilt, supported by A. Brown and unanimously approved.

Case 2004-28 – Replacement of canvas on the awnings, construction of storage shed, construction of privacy fence to screen the dumpster, and approval of a painted sign on the building. Applicant: Catholic Social Services; 1095 Third Street; District: Houston;

Class: A. L. Anguilm presented the staff report. The applicant is requesting several things. The first request is to replace the canvas on the awnings. The frames will remain the same, but the canvas will be replaced with a new color and signage. The fact that this signage is part of the awning, but still must be included in their total allowed signage for the site has been already discussed with appropriate zoning personnel. They are also requesting the construction of an 8 x 8 storage shed, which would be of wood construction and placed next to the dumpster in the rear of the parking lot. They have also requested that the dumpster be moved from it's present location and screened with privacy fence. Their final request is to have their logo painted on the side of the building facing Muskegon Avenue. This logo constitutes a sign, and therefore needs HDC approval, as well as zoning approval. Staff recommends approval of the awning replacement and logo sign. Some consideration should be given to have consistent lettering. Relocation of the dumpster will make access to it easier for the solid waste truck. Screening is required by the zoning ordinance. The storage shed is necessary for storage of lawn care equipment. It should painted a color to match the building or made as inconspicuous as possible.

L. Spataro asked if the building was going to be painted. M. Penn stated that it would. A. Medema asked if the shed would be painted or if it would be sided. M. Penn stated that it would be painted to match the building. A. Brown asked what type of fence they would be putting up. M. Penn stated that it would be chain link with slats.

A motion that HDC approve replacement of the awnings with the following condition: The letter should match the painted sign (logo) on the Muskegon Avenue side of the building, if approved by HDC, the construction of an 8 x 8 storage shed located next to the dumpster in the parking lot off of Houston Avenue with the following condition: The storage shed be painted to match the building or made as inconspicuous as possible, The construction of privacy fence, as proposed, to shield the dumpsters from public view, with the following condition: The fence design must meet all requirements of the Zoning Ordinance, the logo sign to be painted on the side of the building facing Muskegon Avenue, as proposed in the submitted drawing with the following condition: The lettering matches the awning signs, if approved by HDC, was made by A. Brown, supported by L. Spataro and unanimously approved.

Case 2004-29 – Request to concur with the Housing Board of Appeals that the structure is unsafe, substandard, a public nuisance and dangerous building. Applicant: Anthony Kleibecker; 557 W. Clay Avenue; District: Houston; Class: A. L. Anguilm presented the staff report. The applicant is requesting that the HDC concur with the Housing Board of Appeals (HBA) that the structure is unsafe, substandard, a public nuisance and dangerous building. Staff recommends approval of the HBA's findings.

D. LaBrenz stated that the Housing Inspections Department has been working on this issue for about the past 10 years. In 2002 the Housing Board of Appeals (HBA) declared this a dangerous building. The neighbors have been working on repairing their properties in this area and are wondering why this home isn't being repaired. L. Spataro asked if the HDC were to concur with the HBA, would the owner still have time to pull permits

and complete the necessary repairs. D. LaBrenz stated that they would. A. Medema wanted assurances that there would be a reasonable timeline for the repairs and that it would be kept. D. LaBrenz stated that there had been a timetable of about 1 to 1-½ years to make the necessary repairs and it hasn't been done. S. Sieradski stated that the foundation had taken almost the entire timetable. He had to wait for the contractor to do the work. He has been working on the repairs. He has completed projects that he has pulled the permits for, such as, the fence and foundation. He will be working on the front porch. He plans on bringing things before the HDC when he has something, but he hasn't had the funds to do the work yet. He provided the commission members with some plans that he would like to do for the front porch. He described the plan. He is also looking at building a Victorian gazebo, but needs to build the porch first. L. Spataro stated that the porch has been an issue for quite some time. He asked how much was spent on the landscaping. S. Sieradski stated that he had gotten the rocks from an Amish friend of his and some of the plants were \$100 a piece. They had been stolen and he had to replace them. The asphalt cost about \$3,000. L. Spataro stated that he is concerned that the only thing that has prompted this was because of the concurrence with the HBA. S. Sieradski stated that he has had a hardship the past couple of years. A. Medema stated that she concurred with L. Spataro. The time frames haven't been kept up with and asked what kind of timeframe is being requested. She gave examples of 90 or 120 days. S. Sieradski stated in 30 days he would have a signed contract, but he doesn't know when the work would be done. He would be at the mercy of the contractor. He had spoken with one contractor who estimated that it would be done next spring. L. Spataro felt that the commission should concur with the HBA, which would still give the property owner time to get their application for the porch into the HDC for the October meeting and to also have the signed contract.

A motion that the HDC concur with the Housing Board of Appeals, that the structure at 557 W. Clay is unsafe, substandard, a public nuisance and dangerous building, was made by L. Spataro, supported by T. Russo and unanimously approved.

WALK-ON

A motion to accept the 2 walk-ons was made by L. Spataro, supported by J. Hilt and unanimously approved.

Case 2004-31 – Request to remove the non-functional chimneys. Applicant: Cook & Houghtaling, PLC; 1189 Peck St. District: Clinton-Peck; Class: A. L. Anguilm stated that she was able to approve the roofing of the home. The request before the HDC, is whether they may remove the two non-functioning chimneys. S. Cook stated that the two chimneys located at the rear of the building are non-functioning and they would like approval to remove them.

A motion that the HDC approve the removal of the two non-functioning chimneys at 1189 Peck St, was made by A. Brown, supported by L. Spataro and unanimously approved.

Case 2004-30 – Request to install an egress window in the basement with a railing.
Applicant: K. Aflatoun; 1302 Peck St.; District: Clinton-Peck; Class: A. L. Anguilm stated that the applicant would like to install an egress window in the basement for an apartment.

L. Spataro asked what the proposed use of the structure was. K. Aflatoun stated that he would like to rent out the basement as an apartment, but it would need an egress window. L. Anguilm stated that the property is zoned RM-1 and would be allowed 3 apartments. L. Spataro was concerned that the Housing Inspections Department may not allow the apartment to be located in the basement. He didn't want the applicant to feel that it was okay to rent it out if the HDC were to approve the request for the egress window. D. LaBrenz stated that they are aware the applicant would like to have a 3rd apartment in the basement. Currently the home is listed as a 2-unit, but the zoning would allow for the 3rd apartment as long as everything is up to building code. He can't say whether or not this would meet the building code requirements. Most basements don't meet the 7-ft. of headroom that would be required in order for it to be an apartment. He could set up an appointment with the applicant to see if it would meet the building code.

A motion that the HDC approve the installation of an egress window in the basement and the railing, with the condition that it meets all zoning and building code requirements, was made by L. Spataro, supported by A. Brown and unanimously approved.

OLD BUSINESS

None.

OTHER

Freres – A. Brown asked about the Freres Gas station building that had been moved from the corner of Henry and Laketon. L. Spataro stated that Brenda Moore is in the process of purchasing 2 lots on W. Clay and she will be relocating the building to that location. A. Brown asked what the building would be used for. L. Anguilm stated that the intent was for a retail space.

The Muskegon Mall – L. Spataro gave the commission members an update regarding the Mall property.

ADJOURN

The meeting adjourned at 5:02 p.m.